

Public Comment Testimony

L.D. 1693

Hi,

Thank you all for your time regarding this matter. My name is Ben Brooks and I am the tobacco category manager for Nouria Energy Corp. We are based in Worcester MA and operate 148 gas stations throughout New England. 29 of those stores are in the state of Maine and we employ over 400 people in ME.

My 20+ years spent working in the convenience store industry has afforded me the opportunity to witness purchasing behaviors shift as local and state tobacco restrictions take place. And simply put, in my experience, **state prohibitions of products that are still legal in neighboring states and under federal law DO NOT WORK.**

For example, in June of 2020 Massachusetts passed a similar law to this one. In the months that followed we monitored our cigarette business and saw our NH business increase by 12%, our RI business increase 30% and ME 6%, these types of increases are unheard of in a traditionally declining category. This shift in business happened essentially overnight after the effective date of the MA ban and those trends are continuing today almost one year later. We saw similar trends in our smokeless tobacco and alternative nicotine categories as well. It was clear very early on that the stated intention of the MA Menthol Ban was not working, these products were still finding their way onto the streets and into the homes of MA residents.

The main reason for this is that tobacco users want what they want and will find a way to get it. They will get it by traveling to neighboring towns or states and often buy in bulk and resell to friends and family members. This increases the number of private sale tobacco transactions taking place in the community. Collectively, I think we can all agree that we do not want any tobacco sales happening outside of a licensed retailer's operation. These transactions cause lost tax revenue and proper age verification practices are not taking place

To that point licensed tobacco retailers value their licenses to sell these products. At Nouria we take great precaution to ensure that the tobacco products we sell are only sold to those age 21 and older. All of our frontline employees are trained extensively on age verification practices and we are investing in additional technology to utilize ID Scanning in our point of sale registers.

Lastly, I want to add that while I am here today representing a MA based company I am also here as a resident of Maine, voicing my personal opposition to this bill. My story with nicotine use is an example of how this bill will hurt adults trying to stop using traditional cigarettes. I smoked regular non menthol cigarettes for 16 years before switching to electronic cigarettes 7 years ago. I used mint, menthol and flavored E – Cigarettes to quit because I did not like the taste of tobacco flavor in e-cigs. I have not touched a combustible cigarette for over 7 years, I continue to use e-cigs and other non-combustible flavored nicotine products **BECAUSE I ENJOY IT** and I firmly believe that my health has improved since quitting traditional cigarettes. The myth that only kids like flavored tobacco products is simply that... a myth. I am a parent of two small children and fully understand the risk these products pose to them along with hundreds of other dangerous non nicotine products that are legal in ME and I believe that education is the best solution for preventing kids from starting to use these products.

In closing I ask that you please do not pass LD 1693 as it will only hurt essential businesses and adults trying to switch from cigarettes and do very little to restrict youth access to these items.

Thank you for your time,

Ben Brooks

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